

Ramesh Vs State

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Court : Delhi

Decided On : Aug-03-2010

Judge : Mr. Shiv Narayan Dhingra, J.

Appeal No. : Bail Appln. 955 of 2010

Appellant : Ramesh

Respondent : State

Advocate for Def. : Mr. Sunil Sharma, Adv.

Advocate for Pet/Ap. : Mr.D.V. Goyal, Adv.

Judgement :

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporter or not?
3. Whether judgment should be reported in Digest?

ORDER

1. This bail application under Section 439 Cr.P.C has been preferred by the applicant /accused for grant of regular bail who is facing trial under Sections 302/365/201/120-B read with Section 34 IPC.

2. The present application is made by the accused on the ground that the accused was in judicial custody since 27th November 2007 and nineteen witnesses had already been examined during trial and nothing incriminating has come against the accused.

3. A perusal of the chargesheet and the case of the prosecution would show that the entire case against accused was based on circumstantial evidence. One of the circumstances against accused/applicant is of last seen with the deceased. The prosecution witnesses, cited by the prosecution at the time of filing the chargesheet, have not turned hostile during their testimony and nothing substantial in favour of present accused/applicant has come in their cross examination. The remaining witnesses are yet to be examined. There is no change in circumstances from the time when the bail of accused was refused till date. Rather the prosecution witnesses have supported the prosecution version. I, therefore, consider that it was not appropriate to grant bail to the applicant/accused. The bail application is hereby dismissed.

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